



The Morrisville Borough Council met on Tuesday, January 18, 2022 at 7:04 p.m. in Council Chambers at the Morrisville Municipal Building, 35 Union Street, Morrisville, PA for a Regular Council Meeting.

Mr. Parker stated, there was no executive session tonight that was cancelled. Stand for the Pledge of Allegiance please.

Ted Parker asked for roll call.

Those in Attendance:

Borough Council: Ted Parker, President
Bob Paul, Vice President
Victor Cicero (via phone)
Helen Hlahol
Andrew Lubin
Kathryn Price-Engelhard
Scott Robinson (via phone)
Nancy Sherlock

Borough Officials: Brud Anderson, Mayor
Scott Holbert, Solicitor
Micah Heitz, Finance Director
Virginia Cyphers, Assist. Borough Secretary (via phone)

Not in Attendance: Judith Danko, Borough Manager

SPECIAL PRESENTATIONS

There were no special presentations this evening.

HEARING OF THE PUBLIC

1. Jane Burger – *90 W. Maple Avenue*

She stated, good evening everyone happy 2022. A couple of things, you just said the executive session was cancelled and I was just wondering how discussion of the tax levy would be an executive session item so perhaps your solicitor at some point may clarify that as one of the allowed reasons under the Sunshine Law. The other thing I want to speak to I was at the Senior Center today I was there and I heard that there was a verbal communication from the Borough that the \$3,000 contribution to the center was going to be eliminated and not paid at all this year and that's troubling that's been there for decades, \$3,000 is a lot I know in a tight budget but it's even more important to the Senior Center that provides essential services to the elderly and that is a contribution that is permissible under the Borough Code. I looked at the budget under general fund the contribution line I think is where that would come from, there was no separate line for Senior Center remains unchanged from last year \$4,800. In the general fund you also have a contingency reserve which you know you need but it's \$42,557 so I'm just wondering with this why this Council now decides that it needs to eliminate that very important contribution. I hope you can rectify that the Center certainly needs the money and they do an awful lot of fundraising to sustain themselves but I'll just throw out there if for some reason you cannot restore that money I want the public to know that Borough Council receives a stipend of \$2,400 a year and the Mayor receives \$2,900 so I would hope you would dig into your pockets and you haven't received the money but certainly if you can't restore the money I'd like you to open up your wallets and pocketbooks and make a donation back to the Senior Center so that you all can come up with the \$3,000. Thank you very much. It is half deductible by the way.

Mr. Holbert stated, the mention of the tax levy was specifically referred to the tax levy petition that was filed with the Bucks County Court Common Pleas to charge the 35 mills. It was an item in litigation it was on there just in case something went wrong. The hearing was this morning the Judge approved the petition so everything went well so there was nothing that needed to be discussed going further.

2. Don Rice – *343 Crown Street*

He stated, Ted if you can just eliminate the one minute just tell me at three minutes and I'll stop I know the rules by now. I'm here to first make a request of Council we are scheduled to have a hearing with you, us as the plaintiffs you guys as the defendants at Orphans Court in Doylestown on February 1st. Obviously this is about the development of Williamson Park. You can stop this if you want to if you request it by asking your solicitor to contact our lawyer Sam Stratton, Sam will provide the terms of settlement but I can't speak to the legal language of the terms of settlement but the practical language will be generally to require Council to work to undo what has already been done what's been done. You would be asked to remove the park from the redevelopment area, you're going to uninvite McGrath from developing the park, tell the RDA that the park is off limits it can't be developed, you're going to close the escrow account that the Borough has with McGrath and really the most important to us is to preserve the park in perpetuity. Now you ask your solicitor to contact Sam, Sam will give the solicitor the terms of settlement and then I assume you guys would discuss it in executive session. Again our hearing is February 1st so if you want to do it it's going to have to be sooner rather than later. In a conversation tonight I heard possibility mentioned of continuance I don't really know about that, your solicitor might know more about that than I would. Consider that a possibility of extending the time frame if really necessary. All right totally different subject, yesterday from Mrs. Danko I received escrow account invoices that were labeled McGrath not Select Morrisville but the McGrath escrow account. The invoices were redacted I couldn't see the description of what the work was for but I could see the time, the date, the hours charged and the amount. Just some facts that I took away from what I received it seemed to be a very complete accounting of the escrow account. The escrow account first charges were February 27th of 2019 however the Borough through the Borough Manager established the escrow account in May of 2019. So you're charging more than three months ahead of time to an escrow account that was not established. I'll add one thing total charges to date \$36,900. Thank you.

3. Mary Hrenda – *343 Crown Street*

She stated, once Williamson Park has been preserved which we certainly hope that it will be as a result of whatever happens, Save Williamson

Park plans to go from saving the park to helping to improve the park. We have a long list of things that we'd like to do including using volunteers and donations and Grants and the first project we want to do is to replace the trees that were cut down by the Borough around the picnic pavilion this past summer. Those trees had been infected with the Emerald ash borer and were in poor condition. Some of us SWP members have taken or are taking the Pennsylvania Horticultural Society's Tree Tenders class and will be eligible to get reduced price trees through the Pennsylvania Horticultural Society Spring Tree Planting Program for planting in the park. We hope to plant eight trees at \$55 each and we would welcome anyone in the community to help with this tree planting with volunteer labor and or equipment or donations. Sponsor a tree or some trees and or use them as a memorial for someone or something or just have the satisfaction of helping to improve Williamson Park. We have to order the trees by February 10th so please contact us at savewilliamsonpark@gmail.com to volunteer or make a contribution. The trees come in April between the 19th and the 22nd and they should be planted by April 25th. We would really appreciate your help, your ideas for improving the park and anything you can do to help improve Williamson Park. Thank you very much.

4. Deborah Colgan – *120 W. Hendrickson Avenue*

She stated, welcome to all the new faces I'm very happy to see all of you here and I wish the best for all of you. I want to echo something that Don Rice and Mary mentioned something about I urge council to abandon the Select Morrisville Proposal and preserve Williamson Park in perpetuity our open spaces are a public trust and must be cherished. Continuing a court case detracts us from engaging in productive work and those of us who have been working to save the park would much rather spend our time helping to improve it. I also urge Council to address the urgent need for Public Works support, to continue to ignore our public property and let it crumble around us is inexcusable. We have to have self-respect and take care of what we have and that also includes our workers. I see those guys out there in the bitter cold often patching something broken they can't do it all you can't endlessly pile things up on people and not expect them to break. It's council's responsibility to find the funding and I have great hopes that you guys will do that. I happened to see a grocery store clerk yesterday quit in the middle of her shift she said, "I'm a hard worker

you guys know I'm a hard worker but I can't do this anymore.” They just kept piling in on her and piling it on her, same goes for our Public Works they work really hard for us let's support them. As some of you are aware a discarded encampment was discovered at the Riverfront Preserve there's a large amount of junk that needs to be carted out the Environmental Advisory Council will do our best to gather a work crew to clear it and we are asking the public to volunteer in this effort. Once the Borough has provided us a means to dispose of the mess we will schedule a work day. We ask that the Borough advertise the work day once it is set. Thank you for letting us know what that solution is. We really do look forward to working with you as partners.

5. Clark Shuster – *31 E. Cleveland Avenue (Manager of Senior Center)*
He stated, full disclosure I'm a Newtown resident but I'm here as the Manager of the Morrisville Senior Center. So just to kind of dovetail on what Jane said earlier we did learn that our request for funding for 2022 to the Borough Council was turned away. For a number of years at least since I've been the manager of the Senior Center for the past four years the Council has generously funded us \$3,000 a year and that's very important to our operating budget. A number of things that we do down there we provide a hot meal, a hot lunch each and every day for our seniors, we offer home deliveries to seniors in their homes who may not be able to get out during the day. We have recreational activities during the week, fitness classes, bingo, art classes, nutrition classes, we're always trying to offer something new and different for the seniors. For a number of months at the onset of the COVID situation we were shut down we were shut down for about six months and from October of 2020 to July of 2021 we operated on part-time basis three days a week just serving lunches each day but that circumstance made our ability to raise funds very challenging, like every organization, we're not alone in that regard but we need to have a fundraiser just about once a month to maintain our operating budget. Now since July we've been open five days a week and we've been pretty much able to hold our own but that \$3,000 contribution from the Borough really is very important to us. I'm here on behalf of our seniors to ask you to reconsider that decision. I do have a little letter here that a number of our folks that were at the Senior Center today signed for your consideration and one other thing that we're proud of we were the first Senior Center to reopen in Bucks County

during COVID. Again, we reopened in October of 2020 on a part-time basis but we did so in a safe manner so no one was exposed to the COVID and we're very proud of that so on behalf of the seniors that we serve at the Senior Center I ask you to reconsider that decision. Thank you.

6. Joshua Kuntz – *40 Union Street*

He stated, I don't have really much to say today. It's been an exhausting life and I guess as always I always try to focus on congratulating the fact that we're participating in the democratic process that is very important. I can't emphasize enough how important that is. I think that one of the things that I'm curious about and there might not be anything no real answers to this because as I'm watching our society kind of struggle more and more mustering I guess political will or community will I'm curious as to efforts that our Borough might be trying to do so as to outreach to our community so as to further support participation. It's a weird thing to think that a society has to encourage its members to participate in that society but I do think that it might be good to hear people who are elected or appointed to hear their minds and the thoughts that they are putting forward to try to encourage that so that way we can maintain kind of the foundation here and sadly one of the things that makes me think about this is I look around and I tend to see that I'm like one of the younger faces here and I know that my generation has a lot of hardships coming our way and if we don't get time and energy and space to participate in this system when the burden falls on our shoulders we will not have been prepared to hold up that system and continue moving things forward. I am wondering if you guys do have thoughts or if plans can be enacted or anything like that and just to hear you guys talk about that it could be very encouraging to see how we can try to invite more people into participating so that's all.

There being no further public comment, President Ted Parker moved to the business portion of the agenda.

MINUTES

Motion 5A - Motion to approve the Borough Council Regular Meeting Minutes of December 20, 2021.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Lubin.

Discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 7-0.

Motion 5B - Motion to approve the Borough Council Biennial Reorganization Meeting Minutes of January 4, 2022.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Parker.

No discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 7-0.

ACTION ITEMS

Motion 6B - Motion to approve the bill list and pay the bills.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Robinson.

No discussion took place regarding the motion.

Mr. Parker stated, roll call please.

Motion carried by roll call vote 8-0.

REPORTS

Mayor's Report – Brud Anderson – He stated, just real quick I want to thank everybody in person and you may or may not know I wasn't able to be here for the

reorg because I had COVID so I did still take a lot of phone calls from home that week and now I'm in the office and I just want everyone to know that if anybody needs any of my time for any reason you're more than welcome to call or email I can't say I'll always have the answers but I'll always have the time for everybody. I just wanted to also thank our outgoing council people wish them luck in their future endeavors as well as congratulate our incoming Council people and just thank the people who have been here longer than that as well and I look forward to working with all of you. Just one last note I want to congratulate and thank both my opponent Noel Sperry and our outgoing Mayor David Rivella for over 10 years of service and we can't thank all these people enough so thank you so much.

Police Chief's Report – Chief George McClay – There was no report this evening.

Manager's Report – Judith Danko – There was no report this evening.

COMMITTEE REPORTS

There were no committee reports this evening.

ACTION ITEMS

Motion 8A – Motion to Enact and Ordinance Amending the Borough of Morrisville Zoning Ordinance to include regulations for Smoke Shops and Tobacco Stores.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Robinson.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 7-0.

Motion 8B – Motion to approve advertisement of the Ordinance to Levy an Earned Income Tax on Residents and Non-Residents of the Borough of Morrisville pursuant to the Local Tax Enabling Act for General Revenue purposes.

Motion made by Ms. Price-Engelhard.

Motion seconded by Mr. Lubin.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 5-2. (nay votes being Ms. Hlahol and Mr. Robinson)

Motion 8C – Motion to approve change order #1, dated 12/21/2021, regarding 2020 CDBG Curb Ramp Program in the amount of \$1,250.00.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Paul.

No discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 7-0.

Motion 8D – Motion to approve payment #1, dated 1/11/2022, regarding 2020 CDBG Curb Ramp Program in the amount of \$44,694.90 to JDL Construction Services, Inc.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Paul.

No discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 7-0.

Motion 8E - Motion to approve payment #1, dated 1/13/2022, regarding Morrisville Library Roof Replacement, to EDA Contractors, Inc. in the amount of \$101,792.90.

Motion made by Ms. Hlahol.

Motion seconded by Ms. Sherlock.

No discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 7-0.

Motion 8F - Motion to Re-confirm termination of Professional Services Agreement with Keystone Municipal Services, Inc.

Motion made by Ms. Hlahol.

Motion seconded by Mr. Lubin.

No discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 8-0.

Motion 8G - Motion to direct the Borough Manager to Execute Agreement to hire Barry Isett, Inc., in accordance with proposal dated 12/30/2021 for PA UCC, Zoning, Flood Plain, Fire Inspection, Fire Marshal and Planning Services.

Motion made by Ms. Hlahol.

Motion seconded by Ms. Sherlock.

Discussion took place regarding the motion.

Mr. Parker stated, all in favor? Opposed? Abstentions?

Motion carried by voice vote 8-0.

Motion 8H - Motion to Adopt Resolution for designation of Agent for PEMA Bridge Street Crossing Grant.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Paul.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 7-1. (nay vote being Mr. Lubin)

Motion 8I - Motion to hire Russell Samuel Valenza as a part-time Police Officer.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Lubin.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 7-0, 1 Abstention. (abstention being Mr. Robinson)

COUNCIL COMMITTEES/BOARD & COMMISSION APPOINTMENTS

Motion 9A – Economic Development Corporation: One 3-year appointment to expire on 1/22/25. *Letter of interest from Hussam Jallad.

Motion to nominate Hussam Jallad made by Ms. Sherlock.

Discussion took place regarding the motion.

Mr. Parker asked, do we have any other nomination? Hearing none, all in favor? Opposed? Abstentions?

Motion carried by voice vote 8-0.

Motion 9B – Morrisville Municipal Authority: One 5-year appointment to expire on 1/4/27. *Letter of interest from Ted Parker. (Reappointment)

Motion to nominate Ted Parker made by Ms. Sherlock.

Motion seconded by Mr. Paul.

No discussion took place regarding the motion.

Mr. Parker stated, we have a nomination do we have another? We have a nomination do we have another? No other nominations. All in favor? Opposed? Abstentions?

Motion carried by voice vote 8-0.

Motion 9C – Planning Commission: One 4-year appointment to expire on 12/31/25.

*Letter of interest from John DeWilde. (Reappointment)

Motion to nominate John DeWilde made by Ms. Hlahol.

No discussion took place regarding the motion.

Mr. Parker stated, we have a nomination for John DeWilde do we have another? Do we have any other nominations? No other nominations. Roll call.

Motion failed by roll call vote 2-6. (nay votes being Mr. Cicero, Ms. Price-Engelhard, Mr. Lubin, Mr. Paul, Ms. Sherlock and Mr. Parker)

Motion 9D – Zoning Hearing Board: One 3-year appointment to expire on 1/6/25.

*Letter of interest from Raffaele Persico. (Reappointment)

Motion to nominate Raffaele Persico made by Ms. Sherlock.

No discussion took place regarding the motion.

Mr. Parker stated, we have a nomination do we have another? Do we have another?

Last time, do we have another? All right, hearing none. Roll call.

Motion carried by roll call vote 8-0.

Motion 9E – Vacant Property Review Committee: One 4-year term (or coinciding with office term) for a Borough Councilperson appointment. Term to expire on 1/5/26 or at termination of office term. *Letter of interest from Robert Paul.

Motion to nominate Robert Paul made by Ms. Sherlock.

No discussion took place regarding the motion.

Mr. Parker stated do we have another nomination? Do we have another nomination?

Last time, hearing none. Roll Call.

Motion carried by roll call vote 8-0.

OTHER BUSINESS

Motion 10A – After discussion, call for possible motion to approve purchase of Public Works Department Ventrac Equipment, not to exceed \$56,000.00, to be paid with Liquid Fuels Funds.

Motion made by Ms. Sherlock.

Motion seconded by Mr. Paul.

Discussion took place regarding the motion.

Mr. Parker stated, roll call.

Motion carried by roll call vote 8-0.

BOROUGH OFFICIALS

Mr. Parker stated, the Mayor has asked for this time to swear in our new part-time officer so I'm going to allow him the opportunity to do that.

Mayor Brud Anderson swore in the new Part-Time Officer Russell Samuel Valenza.

Ms. Price-Engelhard stated, I've been driving on Pennsylvania Avenue and for a very long time I know for over a year there's been telephone poles that are laying on the sidewalks on the bridge across from the tower. Do you know what I'm talking about, over the canal bridge?

Mr. Parker stated, oh they're laying on the ground yeah.

Ms. Price-Engelhard stated, they're laying on the sidewalk and the problem is that there's no room for people to walk on and the other day I saw a senior walking with her walker on the street to get down to the town. I see kids playing on those and I don't understand why they're there after this long of time. They really present a liability and a safety issue and I think they should be removed until they are actually going to use them.

Mr. Parker stated, I think our Public Works Director has something to add.

Mr. Later stated, yes I actually spoke to them I put a call in last week I spoke to our liaison with PECO and he said to me he's going to check into it tomorrow he'll make sure that there's a list or if they're not going to be put up within he said like two weeks they're supposed to drop them off two weeks before two to three weeks, I know they've been out there longer I've asked about it he said to me he will absolutely take care of it tomorrow. If they're not going to do them shortly I would say two week period he's going to have them moved. If there are issues with snow and things like that which there are they will have them moved but they have to put them somewhere they can't put them on someone's property so you understand that they can't just come into your yard and throw it into your yard. Obviously they should have been coned

off I spoke to him about that and he said he will look into it tomorrow and he'll get back to me tomorrow. I'll give him a list of all the ones that I believe are danger or something in that sense and we'll take care of it.

Ms. Price-Engelhard replied, thank you but I've seen cones come and go from there for a long time and I've seen reflectors come and go for a long time and it's an eyesore and it's a safety issue and we're lucky that someone hasn't been hit or kids fallen off those over the other side of the bridge. Thank you so much.

Mr. Later stated, he also said to me that he has an agreement they use contractors sometimes these contractors just do what they want to do and they don't know until we speak to them about it so he assured me today. I actually spoke to him today about it and he assured me that it would be taken care of first thing tomorrow. It might take him a little bit to figure everything out but give him a couple days and we'll take care of it.

Ms. Sherlock stated, thank you John.

Ms. Hlahol stated, John there's a lot down on South Pennsylvania Avenue like by Bowling Green, they're all laying down they've been there since July. There's one right by the bridge the RPM or whatever that new auto place is there's one laying there. They're all through town.

Mr. Later stated, I told him there's at least 20 it's part of their infrastructure that they're doing they're replacing polls and things like that but obviously that's just too long for them to be sitting there I agree.

Ms. Hlahol stated, I spoke to them they were over there working by the toll bridge a couple of weeks ago and I spoke to them and they told me that they were going to get them up and out but they're still not.

Mr. Later stated, if you're speaking to PECO guys they're using subcontractors so they'll tell you that and they go on their way but no now it will definitely be taken

care of my promise tomorrow or within the next couple days, especially the ones that are on the main roads they are issues tripping hazards.

Ms. Sherlock asked, Mr. Parker, can I ask Mr. Later a question while he is here?

Mr. Parker replied, sure.

Ms. Sherlock asked, is there any update regarding the piping that you had said that we needed the sewer piping out here? Do we have to do that or did we dodge a bullet?

Mr. Later replied, we're trying to fix it and make sure -- right now it's not an issue it could become an issue, it could be an emergency issue but I think right now we're okay but I think something has be taken care of within the next year or so.

Mr. Parker stated, thank you John. Does anybody have anything else?

Ms. Sherlock stated, just a quick briefing about the library. We had the library fundraiser we did raise \$1,300.00, that's about half of what we need to start the process to make the building a designated historic property. I have a question I don't know who would even answer this question but we used to have a member as per the Board of Appeals for the Zoning it's required to have some representation with regards to the UCC and we used to have a gentleman his name was Steve Costanzo and I don't know what happened. Do we have to have that? Could we look into that and see because I thought it was a requirement.

Mr. Holbert stated, the only thing you're required to have is a designated Zoning Officer, the Zoning Hearing Board can hire its own solicitor but outside of that there really isn't required positions under the MPC.

Ms. Sherlock stated, this is the UCC, the Board of Appeals per the UCC.

Mr. Holbert stated, oh the UCC, that's where the Code Enforcement contract with Barry Isett comes into play. They'll have a UCC Officer.

Ms. Sherlock stated, yeah it has that has to be a certified person. For the public's edification real quick I was going to mention it before, there are nine smoke shops in Morrisville, five on Bridge Street and four on Trenton Avenue so I know that people have the numbers inflated to 20, 21 and 22 most of those are in Falls Township. I know it's not pleasant but I just wanted to confirm the number. Last but not least I was wondering if people would be interested in adopting a storm drain that's by their house. There's no official paperwork to give you to say you're the adoptee but we struggle with the storm drains if you look at this project a list of public works they've only done half as much as they did last year and it becomes troublesome so there are people who have a storm drain near their house and they are very kind enough to clear them now but it's just like our fire hydrants in the past we've asked people to sort of adopt the fire hydrant by their house and if we have a snow storm they go out and they shovel around it to make it visible. Hopefully we don't get that much snow at all this year. There is a meeting coming up with regards to the canal on Pennsylvania Avenue that project there's a zoom meeting coming up next week we've all been invited. I think most of us are attending and we'll be getting the update regarding that project. Thank you.

Mr. Parker stated, the Borough Manager wanted me to just put out there that the Environmental Advisory Council has one three-year appointment so if anyone's interested in serving on that that term expires in December of 2024. The Planning Commission has one four-year appointment and that term expires December 31, 2025 and we actually have two positions on the Planning Commission that are open so if anyone's interested simply send a letter of interest to the Borough Manager whose email is on the website.

Ms. Sherlock stated, Mr. Parker can I add one? There's one position for the Library Board as well. I was hoping that we were going to appoint Mr. Hedberg tonight he sent in his request and I guess it just slipped through I did ask that we put it on the agenda this evening but hopefully we won't wait any longer unless you want to do it now we're not adjourned yet.

Mr. Parker stated, I'd rather not we'd have to amend the agenda.

Ms. Sherlock replied, all right thank you.

ADJOURNMENT

Motion to adjourn, made by Ms. Sherlock.

Motion seconded by Mr. Parker 8:35 p.m.

<https://www.morrisvillepagov.com/meeting-videos/>
<https://www.youtube.com/watch?v=ORro2J22S0c&t=136s>